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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Garrick Roy McDowell,

10 Plaintiff,

11 v.

12 Unknown Party,

13 Defendant.
14

No. CV-19-05102-PHX-SMB

ORDER

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16 United States Magistrate Eileen S. Willett has issued a report and recommendation
17 (“R&R”) recommending that the Second Amended Complaint dismissed without prejudice
18 for Plaintiff’s failure to comply with the Court’s Order and prosecute pursuant to Fed.
19 R.Civ. P. 41(b). (Doc. 27). The Magistrate Judge advised the parties that they had fourteen
20 days to file objections to the R&R. (R&R at 7-8) (citing Rule 72, Federal Rules of Civil
21 Procedure) No objection has been filed, which relieves the Court of its obligation to review
22 the R&R. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); Thomas v. Arn, 474 U.S.
23 140, 149 (1985); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003).
24 Nevertheless, the Court has reviewed the pleadings and agrees with the analysis of
25 Magistrate Willett. The Court will accept and adopt the R&R.


26 **IT IS ORDERED:**

27 (1) Accepting and adopting the Report and Recommendation of the Magistrate
28 Judge (Doc. 27);

1 (2) Dismissing this action without prejudice and directing the Clerk of Court to
2 terminate this action.

3 Dated this 8th day of October, 2021.

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Honorable Susan M. Brnovich
United States District Judge